

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	4:10CR3131
)	
v.)	
)	MEMORANDUM AND ORDER
KENNETH BRYAN JOHNSON,)	
)	
Defendant.)	

The government has moved to continue the trial currently set for the week of July 5, 2011, (filing no. 28), because a necessary witness for the prosecution is not available that week. The defendant does not oppose the government's motion. The court finds the motion to continue should be granted.

IT IS ORDERED:

- 1) The government's motion to continue, (filing no. 28), is granted.
- 2) The trial of this case is set to commence at 9:00 a.m. on August 29, 2011 for a duration of three trial days. Jury selection will be at the commencement of trial.
- 3) Based upon the showing set forth in the government's motion and the representations of counsel for both parties, the Court further finds that the ends of justice will be served by continuing the trial; and that the purposes served by continuing the trial date outweigh the interest of the defendant and the public in a speedy trial. Accordingly, the time between July 5, 2011 and August 29, 2011 shall be excluded for speedy trial calculation purposes. 18 U.S.C. § 3161(h)(3)(A) and (h)(7)(A).

DATED this 7th day of June, 2011.

BY THE COURT:

s/ Cheryl R. Zwart
United States Magistrate Judge